



I hereby certify that this correspondence is being transmitted to the
Commissioner for Patents, Washington, D.C. 20231 via Express Mail EV
3228 14915 US on July 31, 2003.

Richard M. Smith
Name

Case CM2500MC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Louis John Viltro :
Serial No.: : Group Art Unit:
Filed: July 31, 2003 : Examiner:
For: Process For Making Pouches :
:
:

DECLARATION OF FACTS IN SUPPORT OF
FILING ON BEHALF OF OMITTED INVENTOR (37 CFR 1.47)

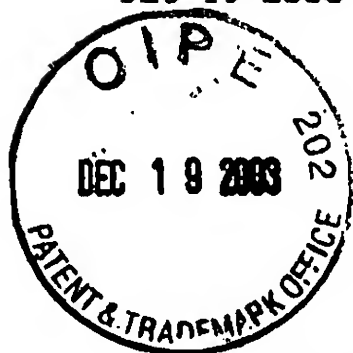
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This declaration is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the omitted inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This declaration is being made by the available person having first-hand knowledge of the facts recited therein.

The above entitled application is being filed simultaneously to this Declaration of Facts on July 31, 2003 by The Procter & Gamble Company. It was determined that Gregory Martin Gressel, a former employee of the Company, was an inventor in this application. Gregory Martin Gressel ended his employment with Procter & Gamble between the time of the provisional filing date of 1/31/2001 and filing date herein of 7/31/2003.



DETAILS OF EFFORTS TO REACH OMITTED INVENTOR

In early May, 2003, I began to prepare documents necessary to file this application in the United States Patent Office under 35 USC §120. At such time I surmised that Gregory Martin Gressel had terminated his employment with The Procter & Gamble Company (P&G) based upon information obtained from two, separate databases within P&G. I was able to verify through an internet-based name and address directory that an address of 650 Flagstaff Drive, Cincinnati, Ohio 45215 for Gregory Martin Gressel was correct. On May 21, 2003, I caused to be delivered to Mr. Gressel, via Federal Express to 650 Flagstaff Drive, Cincinnati, Ohio 45215, a package containing documents and a letter (copy attached) requesting that he sign and return such documents. A pre-paid Federal Express mailer for return of the documents was also provided. Having had no response from Mr. Gressel as of June 23, 2003 I requested tracking information for the said May 21, 2003 shipment which verified that the package was delivered and signed for on May 22, 2003 at 2:11 p.m. (see attached copy of email). On June 24, 2003 I sent a second letter to Mr. Gressel, via first class U.S. Mail, again requesting his cooperation in executing the documents (copy attached). Again, Mr. Gressel failed to respond in any way.

It is submitted that a diligent effort was made to contact Gregory Martin Gressel and request his cooperation in executing certain documentation relative to the patent application herein and it would appear that Mr. Gressel was successfully contacted. Mr. Gressel has, however, refused such cooperation evidenced by his failure to respond.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: Bridget M. Strobl
Bridget M. Strobl

Date: July 31, 2003

State of Ohio)

) ss.

County of Hamilton)

Sworn & subscribed to before me, a notary public, by the said Bridget M. Strobl, who is personally known to me, this 31st day of July, 2003.



NOREEN PIERANI

Notary Public, State of Ohio

My Commission Expires

January 3, 2006

Notary Public

Customer No. 27752

Declaration of Facts-Omitted Inventor.1.47.doc



DEC 19 2003 14:11

74P&G

5136278118 P.05/09

May 21, 2003

Gregory Martin Gressel
650 Flagstaff Drive
Cincinnati, OH 45215

Re: P&G Patent Application

Dear Mr. Gressel:

The purpose of this letter is to request your cooperation in executing documents related to a P&G patent application entitled Process For Making Pouches in which you are named as an inventor. I have been unable to locate you within P&G and assume therefore that you have left your employment with the company. If I am wrong in this assumption please inform me.

I will be entering the aforesaid patent application in the US Patent Office for full filing shortly. It was originally filed provisionally in the US Patent Office in January, 2001 and then in the PCT in January, 2002.

Enclosed are two copies each of the US Oath and Declaration and Global Assignment. Please sign and date both copies of each document, as indicated. The Global Assignment requires your signature be notarized. The places for your signature and the notarization are clearly marked. A notary public can be found at most financial institutions and bureau of motor vehicles offices. You could also meet with me for this purpose if you would prefer. I am located at Miami Valley Laboratories, which may be convenient for you to travel to.

Once executed please return the documents to me using the enclosed pre-paid Fed Ex mailer. Please do not hesitate to contact me if you have questions or experience any difficulty in fulfilling my request.

Thank you in advance for your cooperation.

Sincerely,

Bridget M. Strobl
Paralegal/Administrator
Intellectual Property Division
Fabric & Home Care
The Procter & Gamble Co.
513/627-2996
513/627-0375 (fax)
strobl.bm@pg.com



June 24, 2003

Gregory Martin Gressel
650 Flagstaff Drive
Cincinnati, OH 45215

Re: Documents shipped for signature May 21, 2003

Dear Mr. Gressel:

On May 21, 2003 I shipped documents to you, related to a patent application on behalf of P&G, in which you are named as an inventor.

I have no record of a response from you, nor have I received back the executed documents. I tracked the Fed-Ex shipment and learned that the package was delivered to your address and signed for on May 22, 2003.

Please contact me at the telephone number below to let me know when I can expect to receive the executed documents from you, or let me know if there is a problem in doing so.

Thank you for your time and attention to this matter.

Sincerely,

Bridget M. Strobl
Paralegal/Administrator
The Procter & Gamble Co.
Intellectual Property Division
Fabric & Home Care
513/627-2996
strobl.bm@pg.com